Court No.2

Writ Petition No. 805(M/S) of 2002

Som Nath ……Petitioner

Versus

Prescribed Authority/Additional
Chief Judicial Magistrate, Rudrapur
(District-Udham Sing Nagar)
and another …….Respondents.

……..

Hon'ble P.C.Verma,J.

Heard learned counsel for the petitioner.

The writ petition has been filed challenging the order dated 01.10.2002 passed by the Prescribed Authority/Additional Chief Judicial Magistrate, Rudrapur (District-Udham Singh Nagar) in Rent Control Case No.38 of 2000 rejecting the application of defendant/petitioner moved under Rule 23 of the rules framed under the U.P. Act No. XIII of 1972.

According to the learned counsel for the petitioner, providing of the better particulars is necessary for adjudication of the ownership of the building in question. The prescribed Authority erroneously rejected the application.

Considering the facts of the case, the order impugned is accordingly set aside and the writ petition is allowed with the directions that the prescribed Authority shall allow the application of defendant/petitioner for asking the better particulars.

(P.C. Verma, J.)

24.10.2002
P.Singh